

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS**

January 3, 2012 – 3:00 PM

J. NEWTON COHEN, SR. ROOM

J. NEWTON COHEN, SR. ROWAN COUNTY ADMINISTRATION BUILDING
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Present: Chad Mitchell, Chairman
Carl Ford, Vice-Chairman
Jon Barber, Member
Raymond Coltrain, Member
Jim Sides, Member

County Manager Gary Page, Clerk to the Board Carolyn Athey, County Attorney Jay Dees and Finance Director Leslie Heidrick were present.

Chairman Mitchell convened the meeting at 3:00 pm.

Commissioner Ford provided the Invocation and also led the Pledge of Allegiance.

CONSIDER APPROVAL OF THE MINUTES

Commissioner Barber moved, Commissioner Coltrain seconded and the vote to approve the minutes of the December 19, 2011 Commission Meeting passed unanimously.

CONSIDER ADDITIONS TO THE AGENDA

- Commissioner Barber moved to add a request to the Consent Agenda for the purchase of a compactor at the landfill. The motion was seconded by Commissioner Coltrain and passed unanimously.

Chairman Mitchell added the issue to the Consent Agenda as item #D.

- Commissioner Barber moved to amend the agenda to allow item #7 (Consider Request for Consolidated Administrative Office for Rowan-Salisbury School System) to be moved up in the order of discussion. The motion was seconded by Commissioner Coltrain and passed 3-2 with Commissioners Ford and Sides dissenting.

Chairman Mitchell moved item #7 to #2a for discussion.

CONSIDER DELETIONS FROM THE AGENDA

Commissioner Sides made a motion to remove item #8 (Discussion Regarding Replacement of Tax Administrator's Position in July 2012) from the agenda. The motion was seconded by Commissioner Ford.

Chairman Mitchell said he would support the motion since the Board had not received a letter of resignation from the County's Tax Administrator.

Commissioner Coltrain said the Board should allow enough time for the recruitment process.

Commissioner Barber felt it was best to discuss the matter soon in order to fulfill statutory requirements for a fully functional tax department.

The motion on the floor passed 3-2 with Commissioners Coltrain and Barber dissenting.

CONSIDER APPROVAL OF THE AGENDA

Commissioner Sides moved, Commissioner Ford seconded and the vote to approve the agenda passed unanimously.

1. CONSIDER APPROVAL OF CONSENT AGENDA

Commissioner Coltrain moved approval of the Consent Agenda (as amended). The motion was seconded by Commissioner Barber and passed unanimously.

The Consent Agenda consisted of the following:

- A. Acceptance of Community Services Block Grant Documentation for Anti-Poverty Plan
- B. Revised Crime Insurance Policy for Rowan County Officials
- C. Proclamation Establishing January 16, 2012 as Dr. Martin Luther King, Jr. Day in Rowan County

WHEREAS, Dr. Martin Luther King, Jr. is recognized as one of history's most outstanding pioneers for equality and human rights; and

WHEREAS, Dr. Martin Luther King, Jr. was a man of courage and his work has continued to touch the lives of citizens today; and

WHEREAS, Dr. Martin Luther King, Jr. will be remembered through the ages as a man committed to fulfilling his vision through non-violence; and

WHEREAS, the citizens of Rowan County commemorate his leadership and strength of character and realize the ongoing struggle to keep the dream alive for world peace and dignity in our community and throughout the world;

NOW THEREFORE BE IT PROCLAIMED, that the Rowan County Board of Commissioners wish to honor Dr. Martin Luther King, Jr. for his lifetime work for the betterment of mankind, and declare January 16, 2012 as DR. MARTIN LUTHER KING, JR. DAY in Rowan County.

- D. Purchase a Landfill Compactor for Environmental Management (addition to the agenda)

2. PUBLIC COMMENT PERIOD

Chairman Mitchell opened the Public Comment Period to entertain comments from any citizens wishing to address the Board. Due to the number of individuals that had signed up to address the Board, Chairman Mitchell asked the Board's pleasure for extending the Public Comment Period.

Commissioner Ford moved to extend the Public Comment Period. The motion was seconded by Commissioner Sides and passed unanimously.

The following individuals came forward:

- Lorna Medinger spoke in support of a proposal to locate a central office for the Rowan-Salisbury Schools (RSS) in downtown.
- Diane Young spoke in support of a proposal to locate a central office for the Rowan-Salisbury Schools (RSS) in downtown.
- Michael Young spoke in support of a proposal to locate a central office for the Rowan-Salisbury Schools (RSS) in downtown.
- Craig Pierce spoke in opposition to a proposal to locate a central office for the Rowan-Salisbury Schools (RSS) in downtown.
- Randy Hemann spoke in support of a proposal to locate a central office for the Rowan-Salisbury Schools (RSS) in downtown.
- Christopher Bradshaw spoke in support of a proposal to locate a central office for the Rowan-Salisbury Schools (RSS) in downtown.
- James Hoffman Cockram spoke in support of a proposal to locate a central office for the Rowan-Salisbury Schools (RSS) in downtown.
- Cheryl Goins spoke in support of a proposal to locate a central office for the Rowan-Salisbury Schools (RSS) in downtown.
- Frank Goodnight spoke in support of a proposal to locate a central office for the Rowan-Salisbury Schools (RSS) in downtown.
- Elmer (Sonny) Allen, Jr. discussed the relationship between the City of Salisbury and the Rowan County Board of Commissioners.
- David Post spoke in support of a proposal to locate a central office for the Rowan-Salisbury Schools (RSS) in downtown.
- Alan King spoke in support of a proposal to locate a central office for the Rowan-Salisbury Schools (RSS) in downtown.
- Bill Greene spoke in support of a proposal to locate a central office for the Rowan-Salisbury Schools (RSS) in downtown.
- Pam Coffield spoke in support of a proposal to locate a central office for the Rowan-Salisbury Schools (RSS) in downtown.

- Charles Steinman spoke in support of a proposal to locate a central office for the Rowan-Salisbury Schools (RSS) in downtown.
- Darlene Blount encouraged the Board to perform its due diligence when considering options for the location of a new central office for RSS.
- Rodney Queen spoke in support of a proposal to locate a central office for the Rowan-Salisbury Schools (RSS) in downtown.
- Larry Wright encouraged the Board to put the proposal for relocating a central office for the Rowan-Salisbury Schools (RSS) out to bid.
- Mackie McBroom felt an existing county building should be considered for a central office; however, he said the taxpayers should make the decision.
- Marina Bare felt the decision for a central office should reflect the opinion of taxpayers. Ms. Bare presented a petition for the record, which she stated contained the signatures of 470 voters that wanted to be heard in opposition to locating a central office for RSS downtown.

With no one else wishing to address the Board, Chairman Mitchell closed the Public Comment Period.

#2A. CONSIDER REQUEST FOR CONSOLIDATED ADMINISTRATIVE OFFICE FOR ROWAN-SALISBURY SCHOOL SYSTEM

(This issue was moved from agenda item #7 in the order of discussion.)

Assistant Superintendent of Operations for Rowan Salisbury School (RSS), Gene Miller, presented a request for a consolidated central office for the school system. Mr. Miller said no upfront funds or tax increase would be required based on the proposal in the agenda packets.

Mr. Miller discussed the facts as to why RSS felt a new central office was needed.

Mr. Miller said the Long Street facility currently in use was structurally unsafe.

Mr. Miller discussed the proposal to locate the central office downtown at a building cost of \$119 per square foot. Mr. Miller reviewed the amortization schedule for the project and said the final figures would be realized once the project had been put out to bid.

Mr. Miller highlighted the feasibility study and discussed repairs that would be necessary if the Board chose not to support the proposed project.

In conclusion, Mr. Miller said the project had been presented to Salisbury City Council and was approved on December 20, 2011.

Chairman Mitchell called for a break at 4:30 pm.

Chairman Mitchell reconvened the meeting at 4:40 pm.

Chairman Mitchell questioned the number of parking spaces necessary for the proposed central office. Mr. Miller said RSS felt 160 spaces would be enough since some staff spent their day in the schools and not at the corporate office. Mr. Miller and Randy Hemann, Executive Director for Downtown Salisbury, discussed other available parking spaces.

Commissioner Ford inquired as to whether an environmental study had been performed for the proposed site and Mr. Miller responded yes. Mr. Miller said he would be glad to provide the Board with a copy of the study.

Commissioner Barber questioned the economic impact of placing the central office in downtown. Mr. Hemann said new construction would create a substantial number of jobs; it was also estimated the average person working downtown typically spent between \$3,000 and \$5,000 downtown per year.

Commissioner Barber mentioned several reports that were provided to the Board during its 2009 retreat and he asked if those reports were still available. Mr. Miller responded yes and said he would get copies of all three (3) reports for the Board.

Commissioner Barber said the Board was responsible for financial oversight and he asked who had the statutory responsibility for siting and locating buildings. Mr. Miller said the responsibility lied solely with the Board of Education and he provided the Commissioners with a copy of case law relating to the issue.

In response to a query from Commissioner Coltrain, Mr. Miller confirmed the capital outlay monies would not have an impact on the classroom. Mr. Miller also felt the Board of Education would provide the Commissioners with a signed agreement guaranteeing payments for the project.

Commissioner Ford said he did not need to be convinced of the need for a central office. Commissioner Ford referred to comments made during the Public Comment Period and he clarified that he was not against the City; the Cornerstone Church location was one of eight options, and he did not wish to spend any money on the Long Street facility. Commissioner Ford mentioned comments that had been made pertaining to economic development and he said RSS offices were currently not in downtown. Commissioner Ford said comments were made regarding the new jail and he pointed out the state mandated how jails must be built. Commissioner Ford said all property taxes would remain in the County regardless of where the central office was sited. Commissioner Ford said a new central office was offered to RSS in 2009 and the Board of Education turned it down. Commissioner Ford said the offer was documented in committee meeting minutes and was also reported correctly in the newspaper.

Commissioner Barber expressed hope that the Board of Commissioners would agree to work better together to move the County forward. Commissioner Barber said the Board needed to foster an environment to work with others and he felt the real issue hindering the Board was planning. Commissioner Barber then reviewed a list of questions.

Commissioner Coltrain said the Board of Education was an elected body with responsibilities to the citizens for the educational system in the County. Commissioner Coltrain did not feel elected officials should use or allow their personal or political goals to interfere in making decisions. Commissioner Coltrain felt that as long as the Board of Education could provide in writing, a guaranteed method for payment, the only question left was how the Commissioners wished to fund the project.

Commissioner Coltrain asked Finance Director Leslie Heidrick if she felt the County could borrow the \$8 million for the project cheaper than three percent. Ms. Heidrick highlighted several recent types of financing for the County and said based on those projects, the answer was yes.

Commissioner Coltrain said if the County could finance the project, the total cost for the project would decrease.

Commissioner Sides said it was time for the Commissioners to approve a central office whether it was a new facility, an existing building or combination of both. Commissioner Sides discussed various sites the Board of Education had been offered. Commissioner Sides said what people read in the Salisbury Post was not always the truth and he felt the Salisbury Post chose to be limited when quoting the Commissioners. Commissioner Sides said he had been trying to find the best solution for the last eight to ten weeks and that he was not sure the downtown location was the best option. Commissioner Sides said when he and Commissioner Ford had visited the Cornerstone Church site, he had stated upfront they were there unofficially and not speaking for the Board or the citizens.

Commissioner Sides pointed out the County would receive sales tax revenue regardless of where the central office was located and he noted that construction jobs would be created regardless of where the central office was built. Commissioner Sides said he did not feel a 62,000 square foot building was needed and that he felt the former Department of Social Services building was the best option.

Commissioner Sides felt the Commissioners should hold a summit and review all the options. Commissioner Sides said he would not vote today for a downtown central office based on the plan presented.

Chairman Mitchell was in complete agreement with Commissioner Sides that the Board should hold a planning session pertaining to the options. Chairman

Mitchell said when considering the options, he would like to see an option for the current Ellis Street property.

Chairman Mitchell inquired as to how much land RSS owned at Isenberg Elementary and Mr. Miller responded there were approximately forty (40) acres. Chairman Mitchell said he would also like to see a plan for placement of a central office at Isenberg. Chairman Mitchell said the misgivings for the Ellis Street location was the extra traffic that would be generated.

Chairman Mitchell asked the Finance Director to provide the Board with debt service retirement options.

After a brief discussion, the Board agreed to hold a special meeting on January 25, 2012 at 3:00 pm to discuss the various options for a central office. Chairman Mitchell asked the Clerk to advertise the meeting so any action taken would be official.

Commissioner Barber asked if the Board of Education or RSS staff should attend the meeting. Chairman Mitchell said he viewed the meeting as the Board's opportunity to sift through and receive information.

Commissioner Barber asked if someone from RSS could attend and someone in the audience from RSS responded yes. Commissioner Barber said he was open only to options supported and endorsed by RSS.

Commissioner Coltrain said RSS should come up with what they needed and bring projected costs to the Commissioners.

Chairman Mitchell called for a break at 5:30 pm.

Chairman Mitchell reconvened the meeting at 5:35 pm.

3. PUBLIC HEARING FOR FY 2013 COMMUNITY TRANSPORTATION PROGRAM

Rowan Transit System Director Gary Price explained that the North Carolina Public Transportation Division was accepting Community Transportation Program (CTP) applications for Fiscal Year 2013. Mr. Price said CTP was the principle source of funding for the RTS operations.

Mr. Price highlighted the funding request for the FY 2013 grant application as follows:

- Administration – Requesting a total of \$189,997; a 15% County match is required (\$28,501)
- Capital Equipment – Requesting a total of \$87,048; requires a 10% local match (\$8,706)

Mr. Price asked the Board to:

1. Conduct a public hearing on the CTP application
2. Adopt the CTP Resolution

Chairman Mitchell opened the public hearing to receive citizen input regarding the proposed FY 2013 CTP grant application.

With no one wishing to address the Board, Chairman Mitchell closed the public hearing.

Commissioner Sides moved approval of the CTP Resolution as presented. The motion was seconded by Commissioner Barber and passed unanimously.

4. PUBLIC HEARING FOR COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

Economic Development Director Robert Van Geons discussed the Community Development Block Grant (CDBG) for Economic Development.

Mr. Van Geons explained that as part of the CDBG grant application process, two (2) public hearings were required. The first public hearing was to hear from citizens regarding their thoughts as to how potential CDBG funds could be used to enhance economic development. Mr. Van Geons said if the Board chose to pursue an application in the near future, a second public hearing would be required for any specific project.

Chairman Mitchell opened the public hearing to receive citizen input regarding the CDBG grant application. With no one wishing to address the Board, Chairman Mitchell closed the public hearing.

In response to a query from Chairman Mitchell, Mr. Van Geons said no action was required.

5. PRESENTATION OF DRAFT OF EAST ROWAN LAND USE STUDY

Planning & Development Director Ed Muire presented the draft of the East Rowan Land Use Study. Mr. Muire said the study contained the Planning Board's recommendations for the eastern portion of Rowan County. Mr. Muire said the Planning Board unanimously recommended the draft study offered by Committee A. The Committee's proposal was developed during six (6) meetings and input from three (3) public workshops.

Mr. Muire said the recommendations were similar to those utilized in the County's Land Use Plan (LUP) for areas west of I-85.

Commissioner Ford moved, Commissioner Coltrain seconded and the vote to set a public hearing for the East Rowan Land Use Study on January 17, 2012 passed unanimously.

6. CONSIDER REQUEST TO INITIATE RENOVATION PLANS FOR ROWAN COUNTY SMILE CENTER FACILITY AND APPROVAL TO APPLY FOR GRANT FUNDS TO SUPPORT RENOVATION PLAN

Health Department Director Leonard Wood requested permission to move forward with the development of a major renovation and equipment purchase for the Smile Center. Mr. Wood estimated the project would cost \$250,000 to \$350,000 dollars. Mr. Wood said he had contacted local philanthropic organizations and was told that up to \$100,000 may be available from these organizations. Mr. Wood said the Health Department was requesting the Board of Health and the Board of Commissioners approval of up to \$100,000 in HD Medicaid Escrow funds for the project.

Mr. Wood said in order to obtain firm cost estimates, the Health Department would need to hire/retain an architect to provide clean drawings and specifications to submit bids for the renovation and equipment. The time frame for the project was to get approval from both Board of Health and Board of Commissioners, submit a detailed grant request to the local foundation; and, if all funds were received, incorporate the project in the FY 2012-13 County budget and finalize the work after July 1, 2012.

Mr. Wood requested approval to move forward with obtaining architectural plans and bid specifications with funds in the Health Department's budget for the current fiscal year; to write grants to matching local philanthropic foundations seeking funds for this project; and, to utilize \$100,000 in Health Department Escrow Matching Funds to contribute toward the planned Smile Center renovation and equipment upgrade.

Commissioner Sides moved to approve the request for use of up to \$100,000 in the Health Department's Medicaid Escrow funds. The motion was seconded by Commissioner Coltrain and passed unanimously.

7. CONSIDER REQUEST FOR CONSOLIDATED ADMINISTRATIVE OFFICE FOR ROWAN-SALISBURY SCHOOL SYSTEM

This issue was moved to agenda item #2a in the order of discussion.

8. DISCUSSION REGARDING REPLACEMENT OF TAX ADMINISTRATOR'S POSITION IN JULY 2012

This issue was deleted from the agenda.

9. CONSIDER APPROVAL OF BOARD APPOINTMENTS ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE

Sue Weddington submitted an application for reappointment.

The term would be for three (3) years beginning January 1, 2012 and expiring December 31, 2014.

Commissioner Barber nominated Sue Weddington and the nomination passed unanimously.

HOME AND COMMUNITY CARE BLOCK GRANT COMMITTEE

There are three (3) At-Large vacancies and the following applications were submitted:

- Barbara Garwood
- John P. Burke
- Jan P. Morris

The initial terms of at-large appointees are to be staggered, according to the by-laws of this organization. One individual will be appointed to a one-year term; one to a two-year term; and one to a three-year term.

The terms would begin on January 1, 2012 and end on December 31 of the term limit.

Commissioner Coltrain nominated Barbara Garwood, John P. Burke and Jan P. Morris. The nominations passed unanimously.

Commissioner Sides moved to appoint John Burke for a one-year term; Jan Morris for a two-year term and Barbara Garwood for a three-year term. The motion carried unanimously.

JUVENILE CRIME PREVENTION COUNCIL

Dr. Lynn Marsh has submitted an application for consideration for the unexpired term of Lynn Richards, an At-Large appointee. Mr. Richards' resignation was accepted October 1, 2011.

The term would begin January 1, 2012 and expire June 30, 2013.

Commissioner Ford nominated Dr. Lynn Marsh and the nomination carried unanimously.

SOUTH SALISBURY VFD FIRE COMMISSION

There are three (3) vacancies and three (3) applications were submitted. Please note, however, that only one (1) applicant is eligible for reappointment unless the Board wishes to waive the term limits set forth in the Resolution adopted in 2009.

- Wayne Taylor (eligible for reappointment)
- William Webb
- Bob Boles

The term would be for two (2) years beginning January 1, 2012 and expiring December 31, 2013.

Commissioner Ford nominated Wayne Taylor for reappointment and the nomination passed unanimously.

Commissioner Sides moved, Commissioner Barber seconded and the vote to waive the term limits set forth in the Resolution passed unanimously.

Commissioner Sides nominated William Webb and Bob Boles. The nomination carried unanimously.

10. ADJOURNMENT

There being no further business to come before the Board, Commissioner Ford moved to adjourn at 6:14 pm. The motion was seconded by Commissioner Barber and passed unanimously.

Respectfully Submitted,

Carolyn Athey, CMC, NCCCC
Clerk to the Board/Assistant to the County Manager